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UNCLAS MAPUTO 000133

SIPDIS

STATE FOR AF/S - TREGER, DRL, AND INL/AE-EROS

E.O. 12958: N/A

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SUBJECT: MOZAMBIQUE: ACCUSED CARDOSO ASSASSIN ANIBALZINHO
RETURNS

1. Anibal dos Santos Junior ("Anibalzinho"), the man convicted of leading the hit squad responsible for the November 2000 assassination of investigative journalist Carlos Cardoso, arrived in Maputo on January 22 and was taken into custody, after having been deported from Canada. In January 2003, he had been sentenced by a Maputo court to 28 and a half years for his involvement in the Cardoso murder. However on May 9, 2004 he escaped from Maputo's Mashava Maximum Security Prison and then fled to Canada, where he applied for but was denied political asylum.

2. The May 9 escape was Anibalzinho's second from the capital city's maximum security prison. In September 2002 Anibalzinho "mysteriously disappeared" from Mashava prison, and then remained a fugitive for several months until South African police tracked him to a home outside Pretoria. He was returned to Maputo just hours after his sentence was handed down in absentia by the Maputo City Court on January 31, 2003.

3. According to press reports, Anibalzinho dropped his appeal for asylum in Canada because of a controversial Supreme Court ruling that he deserves a retrial in Mozambique. The Court, which handed down its decision in December 2004, effectively ruled that anyone sentenced in absentia to a prison term of more than two years should be allowed a retrial. Anibalzinho is also reportedly to stand trial separately for his involvement in the attempted murder of lawyer Albano Silva, the husband of Prime Minister Luisa Diogo.

4. Anibalzinho is now being held in a high security cell within the Maputo City Police Command, not at Mashava Maximum Security Prison.
LA LIME